

**Notice of Allowability**

Application No.

10/779,713

Examiner

April S. Guzman

Applicant(s)

VICARI, ARTURO

Art Unit

2631

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to The patent application filed on 09/12/2005. <sup>2/18/04</sup>
2. ☒ The allowed claim(s) is/are 1-16.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
- ☒ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date 09/12/2005
- ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- ☐ Notice of Informal Patent Application
- ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_.
- ☐ Examiner's Amendment/Comment
- ☒ Examiner's Statement of Reasons for Allowance
- ☐ Other \_\_\_\_\_.

**DETAILED ACTION**

***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

***Information Disclosure Statement***

2. The information disclosure statement submitted on February 18, 2004 has been considered by the Examiner and made of record in the application file.

***Drawings***

3. The drawings are objected to because the blocks in Figure 1, Figure 2, and Figure 3 do not have a descriptive label (e.g. block 2 should be labeled as "transmitter", block 5 should be labeled as "input preamplifier", and block 20 should be labeled as "switch"). The same applies to the other blocks. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement

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sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 19a and 21a. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Specification***

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5. The disclosure is objected to because of the following informalities: On page 8 line 4, replace "2.4-GHz" with --900 MHz-- to avoid inconsistent terminology with the same reference character on page 7 lines 1-2.

Appropriate correction is required.

***Allowable Subject Matter***

6. **Claims 1-16** are allowed.

7. The following is an examiner's statement of reasons for allowance:

Consider **claim 1**, the best prior art of record found during the examination of the present application, **Shibuya et al. (U.S. Patent Application # 2004/0063407)**, disclose a transmitter 1 that includes an analog input signal source, microphone 2. The audio signal picked up by the microphone 2 is applied to an A/D converter 4. The A/D converter samples the audio signal at a predetermined sampling frequency and converts it into plural-bit, digital audio signals. The digital audio signals are applied to an encoder 6 where they are converted to coded signals. The coded signals are coupled to a transmitting unit 8. A carrier is digitally modulated with the coded signals in a modulator of the transmitting unit 8, which results in a modulated signal. The modulated signal is amplified in an output section of the transmitting unit 8, and transmitted through antenna 10. The modulated signal transmitted from the antenna 10 is received by a receiver 12. The receiver 12 includes two receiving units 14A and 14B. The receiving unit 14A includes an antenna 16A and a tuning unit 18A. The receiving unit 14B includes an antenna 16B and a tuning unit 18B. The modulated signal received at each

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of the antennas 16A and 16B is demodulated into the coded signals in demodulating means in the tuning units 18A and 18B. Coded signals from the tuning units 18A and 18B are decoded in a decoder 20, then , converted into and analog audio signal in a digital-to analog (D/A) converter, amplified in an amplifier and emitted through a loudspeaker (Abstract, Figure 1, and [0030]-[0034]).

However, Shibuya et al. fail to disclose that the transmitter is being provided with a first and a second line leading to respective transmission components for transmission at different frequencies, the first line for a digital signal and the second line for an analog signal, the receiver being provided with respective lines that originate from receiving components for receiving the digital and analog signals. Shibuya et al. also fail to disclose a device for detecting an incorrect signal that is driven by said detection device is connected to said digital and analog signal lines to said sound diffusion elements a signal that arrives from said signal converter, replacing an incorrect signal with the analog signal.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Thomas (U.S. Patent Application # 2003/0191634)

Strakovsky (U.S. Patent Application # 2003/0114122)

Suzuki (U.S. Patent # 5,966,644)

Heinonen (U.S. Patent # 5,896,562)

Bartusiak (U.S. Patent # 6,016,422)

Lillie (U.S. Patent Application # 2004/0176045)

Kawasaki et al. (U.S. Patent # 7,054,625)

Reagor et al. (U.S. Patent # 7,043,204)

McCorkle et al. (U.S. Patent Application # 2003/0161411)

Lee et al. (U.S. Patent Application # 2003/0053548)

Koike (U.S. Patent # 6,778,814)

Tanguchi et al. (European Patent Application # 1104101)

9. Any response to this Office Action should be **faxed to (571) 273-8300 or mailed to:**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Hand-delivered responses** should be brought to


Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314


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10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to April S. Guzman whose telephone number is 571-270-1101. The examiner can normally be reached on Monday - Thursday, 8:00 a.m. - 5:00 p.m., EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rafael Perez-Gutierrez can be reached on 571-272-7915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
April S. Guzman  
A.S.G/asg

  
RAFAEL PEREZ-GUTIERREZ  
SUPERVISORY PATENT EXAMINER  
9/9/06